

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
**19460**

In Re Application Of: **Christopher Milton Mathew Franco, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
<b>10/563,637</b>	<b>January 6, 2006</b>	<b>Unassigned</b>	<b>23389</b>	<b>Unassigned</b>	<b>4137</b>

Title:

**A METHOD AND AGENTS FOR IMPROVING PLANT PRODUCTIVITY INVOLVING  
ENDOPHYTIC ACTINOMYCETES AND METABOLITES THEREOF**

Address to:  
**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

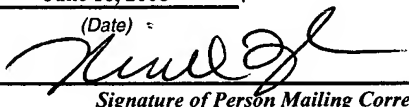
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP  
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- ☐ Charge the amount of \_\_\_\_\_
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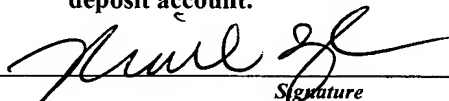
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June 16, 2006 (Date)
 Signature of Person Mailing Correspondence
Xiaochun Zhu Typed or Printed Name of Person Mailing Certificate

\*This certificate may only be used if paying by deposit account.

  
Signature

Dated: June 16, 2006

Xiaochun Zhu  
Registration No. 56,311  
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

CC:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Christopher Milton Mathew Franco, et al.    **Examiner:** Unassigned  
**Serial No.:** 10/563,637    **Art Unit:** Unassigned  
**Filed:** January 6, 2006    **Docket:** 19460  
**For:** A METHOD AND AGENTS FOR    **Dated:** June 16, 2006  
IMPROVING PLANT PRODUCTIVITY  
INVOLVING ENDOPHYTIC ACTINOMYCETES  
AND METABOLITES THEREOF

**Confirmation No:** 4137

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Sardi P. et al., "Isolation of Endophytic *Streptomyces* Strains from Surface-Sterilized Roots", *Applied and Environmental Microbiology*, 58(8):2691-2693 (1992);
2. Salleh A., "News in Science-Antibiotics for Wheat",  
<http://www.abc.net.au/science/news/stories/s351442.htm> (2001);
3. El-Shanshoury A.R., "Growth Promotion of Wheat Seedlings by *Streptomyces Atroolivaceus*", *J. Agronomy & Crop Science*, 163:109-114 (1989);

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 16, 2006

  
Xiaochun Zhu

4. Coombs J.T. et al., "Isolation and Identification of Actinobacteria from Surface-Sterilized Wheat Roots", *Applied and Environmental Microbiology*, 69(9):5603-5608 (2003); and
5. Coombs J.T. et al., "Visualization of an Endophytic *Streptomyces* Species in Wheat Seed", *Applied and Environmental Microbiology*, 59(7):4260-4262 (2003).

The references were cited in a Search Report dated September 30, 2004 received from the Australian Patent Office. Applicants are submitting a copy of the above-cited references. A copy of the Search Report was submitted by Applicants on January 6, 2006. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Xiaochun Zhu  
Registration No. 56,311

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

XZ:dg

Form PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART  
CITED BY APPLICANT***(Use several sheets if necessary)***Atty. Docket No. (Optional)**

19460

**Application Number**

10/563,637

**Applicant(s)**

Christopher Milton Mathew Franco, et al.

**Filing Date**

January 6, 2006

**Group Art Unit**

Unassigned

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		Sardi P. et al., "Isolation of Endophytic <i>Streptomyces</i> Strains from Surface-Sterilized Roots", <i>Applied and Environmental Microbiology</i> , 58(8):2691-2693 (1992)
		Salleh A., "News in Science-Antibiotics for Wheat", <a href="http://www.abc.net.au/science/news/stories/s351442.htm">http://www.abc.net.au/science/news/stories/s351442.htm</a> (2001)
		El-Shanshoury A.R., "Growth Promotion of Wheat Seedlings by <i>Streptomyces Atroolivaceus</i> ", <i>J. Agronomy &amp; Crop Science</i> , 163:109-114 (1989)
		Coombs J.T. et al., "Isolation and Identification of Actinobacteria from Surface-Sterilized Wheat Roots", <i>Applied and Environmental Microbiology</i> , 69(9):5603-5608 (2003)
		Coombs J.T. et al., "Visualization of an Endophytic <i>Streptomyces</i> Species in Wheat Seed", <i>Applied and Environmental Microbiology</i> , 59(7):4260-4262 (2003)

**EXAMINER****DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.